

REMARKS

Applicants thank Examiner for discussing the status of the application on October 24, 2003 as it pertains to the Office Action at hand. Specifically, Examiner indicated that, although the amendment filed May 8, 2003 in response to the Office Action mailed February 11, 2003 was not entered, the Office Action at hand mailed July 28, 2003 indicates pending claims as though the May 8th amendment had been entered. As agreed on October 24, 2003, this Reply to the Final Office Action at hand refers to the claims as pending in the February 11, 2003 Office Action, and the Amendment filed May 8, 2003 is being resubmitted in compliance with 37 C.F.R. 1.173.

Claims 1-53 and 87-118 were pending in the application as indicated in the Office Action mailed February 11, 2003. In the Office Action mailed February 11, 2002, Claims 1-7, 20-41, and 99-117 were allowed; Claims 8, 11, 14, 15, 42-53, and 87-98 were rejected; and Claims 9, 10, 12, 13, and 16-19 were objected to as depending from a rejected claim. No new matter is being introduced by way of amendments in the copy of the Amendment, originally filed May 8, 2003, enclosed herewith.

The following remarks are responsive to the Office Action at hand, mailed July 28, 2003.

In Part 1 of the Office Action at hand, the claims were rejected as being based upon a defective reissue declaration under 35 U.S.C. § 251. Responsively, Applicants submit herewith a "Supplemental Declaration for Reissue Patent Application to Correct "Errors" under 37 C.F.R. 1.175. Accordingly, Applicants respectfully submit that the rejection under 35 U.S.C. § 251 should now be withdrawn.

In Part 2 of the Office Action at hand, Applicants were advised that the Amendment filed on May 12, 2003 was in an improper format and could not be entered. Responsively, the Amendment of May 12, 2003 has been revised and is now in compliance with 37 C.F.R. 1.173. As discussed on October 24, 2003, the revised Amendment of May 12, 2003 is being filed herewith for Examination. Entry of the revised Amendment of May 12, 2003 is requested. A Statement of Status and Support for All Claims is also being filed herewith.

In Part 3 of the Office Action at hand, Applicants respectfully submit that the Amendment filed on May 12, 2003 was not entered and, therefore, was not examined on its merits. Applicants request that finality of the claims rejected in the Office Action at hand be removed. Applicants request that the enclosed revised copy of the Amendment filed on May 12, 2003 be entered and examined on its merits.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mark B. Solomon
Mark B. Solomon
Registration No. 44,348
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 11/25/03